

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

16-3886

David Cushing v. Student Loan Marketing Assoc, et al

2-16-cv-00595

**ORDER**

Pursuant to Fed. R. App. P. 3(a) and 3rd Cir. LAR 3.3 and Misc. 107.1(a), it is

ORDERED that the above-captioned case is hereby dismissed for failure to timely prosecute insofar as appellant failed to pay the requisite fee as directed. It is

FURTHER ORDERED that a certified copy of this order be issued in lieu of a formal mandate.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Dated: November 14, 2016

JK/cc: Ms. Lucy V. Chin

David J. Cushing

Robert J. Hannen, Esq.

Kevin Harden, Jr., Esq.

Eric M. Hurwitz, Esq.



**A True Copy**

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Certified order issued in lieu of mandate.